

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:95-CR-26-1BO

WILLIE CAMPBELL,)
Petitioner,)
v.)
UNITED STATES OF AMERICA)
Respondent.)

)

O R D E R

This matter is before the Court on Petitioner's self-titled "Motion for Termination of Supervised Release," the Government's Motion to Re-Characterize, and the Government's Motion in Opposition. The Government's Motion to Re-characterize is GRANTED and the Petitioner's Petition is DISMISSED.

FACTS

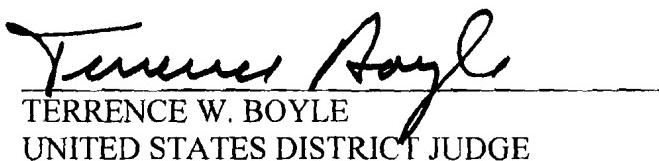
On February 22, 1995, Petitioner pled guilty to one count of conspiracy to possess with the intent to distribute cocaine. (DE 3). On October 16, 1995, this Court sentenced Petitioner to 262 months' imprisonment, five years of supervised release, and other penalties. (DE 11). On October 25, 1996, this Court denied Petitioner's first motion filed pursuant to 28 U.S.C. § 2255. (DE 19). On March 25, 2002, this Court granted a motion for departure and modified Petitioner's sentence to 200 months' imprisonment. (DE 28). The modified sentence retained the five years of supervised release. This Court subsequently dismissed three additional motions by Petitioner to modify or alter his sentence. (DE 36, DE 40, DE 45).

On October 4, 2010, Petitioner filed the instant motion to terminate his supervised release, pursuant to 18 U.S.C. § 3583(e)(1).

DISCUSSION

Despite its title, Petitioner's instant motion seeks post-conviction relief that can only be granted pursuant to 28 U.S.C. § 2255. The Court thus treats Petitioner's motion as a successive § 2255 petition. As Petitioner has already filed several unsuccessful motions to amend or vacate his sentence, the Court dismisses the Petitioner's § 2255 petition pursuant to § 2255(h).

SO ORDERED, this 21 day of December, 2010.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE